

DEPARTMENT OF INDUSTRIAL RELATIONS  
DIVISION OF LABOR STATISTICS & RESEARCH  
455 Golden Gate Avenue, 9<sup>th</sup> Floor  
San Francisco, CA 94102

ADDRESS REPLY TO:

San Francisco

P.O. Box 420603  
CA 94142-0603



**HOLIDAY PROVISION**

**FOR**

**METAL ROOFING SYSTEMS INSTALLER**

**IN**

**MONTEREY COUNTY**

166-104-10

166-104-10

# STANDARD FORM OF UNION AGREEMENT

AND

ADDENDA THERETO

BETWEEN

SHEET METAL WORKERS' INTERNATIONAL ASSOCIATION  
LOCAL UNION NO. 104

AND

MONTEREY, SAN BENITO, AND SANTA CRUZ COUNTIES  
OF THE MONTEREY BAY AREA SHEET METAL  
CONTRACTORS' ASSOCIATION, INC.

EFFECTIVE JULY 1, 2006 THROUGH JUNE 30, 2010



RECEIVED  
Department of Industrial Relations

JUL 25 2007

Div. of Labor Statistics & Research  
Chief's Office

SHEET METAL WORKERS' INTERNATIONAL ASSOCIATION  
LOCAL UNION NO. 104

2610 CROW CANYON ROAD, SUITE 300  
SAN RAMON, CA 94583  
925-314-8600

overtime is to exceed two (2) hours, and a one-half (1/2)-hour period for eating every four (4) hours thereafter on employees' own time. An employee, not notified the previous day that overtime will be required, shall be reimbursed for reasonable meal expenses, as allowed above, upon submittal of a receipt or proof of the expenditure. The Employer shall have the option of providing a reasonable meal in the shop or at the jobsite in lieu of the above.

SECTION E. Where conditions warrant, the regular workday may consist of ten (10) hours' labor on the jobsite or shop and the regular workweek of four (4) consecutive ten (10)-hour days between Monday and Friday, when mutually agreed between the Local Union and the Employer. When working four-tens (4-10's), the first two (2) hours immediately before or after shift and the first eight (8) hours on the fifth day, shall be paid at one and one half (1 1/2) times the rate of pay. All other pay shall be at double (2) time.

SECTION F. Contributions for Health Care, Northern California Pension Fund, National Pension Fund, amounts up to Class II for Local Supplemental Pension Fund, SASMI, SMOHIT, Training Fund and Industry Funds shall be based on actual hours worked (or in the case of Owner/Members, Item 1 - Section K shall be applicable. With respect to Local Supplemental Pension Fund contributions over and above amounts up to Class II, contributions shall include overtime premium hours as well as actual hours worked. All dues check-offs shall be paid for all actual hours worked and overtime premiums attributable thereto shall be added to the employee's base wage. Vacation/Holiday contributions shall be based upon actual hours worked and overtime premium hours.

SECTION G. When sheet metal workers are assigned to composite crews, where covered by International or other Local Agreements, they shall work the assigned work week of that Agreement.

SECTION H. An Employer may permit a departure from normal working hours to between 6:00 a.m. and 8:00 a.m. (other than 7:00 a.m.) when requested by a majority of the Local 104 employees on a given job site or in a shop, provided the Employer submits this request in writing to the Union no less than forty-eight hours prior to a change in schedule. The Employer may revert to the normal working hours by conducting a new vote and notifying the Union.

SECTION I. Any employee who is discharged after starting to work at starting time and working two (2) hours before such discharge, shall receive (4) hours pay unless discharged for provable willful misconduct.

SECTION J. Any employee who is discharged after starting to work at starting time and working until noon and starting to work after lunch before such discharge, said employee shall receive eight (8) hours pay unless discharged for provable willful misconduct.

SECTION K. When employees are discharged, one-half (1/2) hour time shall be allowed for gathering their tools and clothing and the Employer shall pay the employee full wages

immediately upon discharge due to a lay-off or summary dismissal. Wages at the overtime rate must be paid for all time that expires after the hours of dismissal pending this payment, unless otherwise mutually agreed to by the signatory parties.

SECTION L. It is hereby understood and agreed that where any overtime work is to be performed in the shop or on any job outside the regular working hours the Employer shall notify the Union office, giving the names of men/women working and location of the job. Overtime work in the shop or on the job will be reported to the Union office BEFORE such work is performed. No overtime work may be performed without Local Union #104 permission.

SECTION M. In order to equalize overtime work as much as possible, preference to overtime work shall be given to qualified employees on that job site.

SECTION N. When Local 104 Sheet Metal Workers are assigned to jobsites in the jurisdiction of another contractual area, they shall work the regular hours of that jobsite at the higher rate of pay.

When Local 104 Sheet Metal Workers are assigned to jobsites in the jurisdiction of another local, they shall work the regular hours of that Local Union at the straight time hourly rate of pay.

#### **ITEM 8. HOLIDAYS**

SECTION A. The following days are recognized holidays:

New Year's Day  
Martin Luther King Day  
President's Day  
Good Friday  
Memorial Day  
Independence Day  
Labor Day  
Thanksgiving Day  
Day after Thanksgiving  
Christmas Day  
Day after Christmas

SECTION B. Any holiday falling on Saturday shall be observed on the previous Friday. Any holiday falling on a Sunday shall be observed on the following Monday.

SECTION C. When Christmas falls on Friday, Saturday or Sunday, Friday and Monday shall be observed as the contract holidays.

#### **ITEM 9. SHIFT WORK**

SECTION A. Shift work will mean work performed immediately following the regularly scheduled work day and for the stated number of hours as follows.

SECTION B. Not less than five (5) consecutive days shall constitute a shift schedule, and all shift schedules shall end only on a Friday.